



Commonwealth of Puerto Rico
Puerto Rico Department of Health
Auxiliary Secretariat for Environmental Health
Public Water Supply Supervision Program

Andreafactive
Borsellino
SALUD
PROTEGIENDO
TU SALUD

May 25, 2001

6/5/01
Brna

Muszynski
Callahan
cc: Pavlou/Action
Jackson
Casper
Soderberg
Casey

Mr. William Muszynski
Acting Regional Administrator
US EPA Region 2
290 Broadway
New York, New York 10007-1866

Re: Action Plan for Disasters and Administrative Penalty on Small Systems

Dear mister Muszinki:

On August 21, 2000, the Public Water Supply Supervision (PWSS) Program submitted a Primacy Revision Application Package for approval of the program revision to adopt new or revised EPA regulations pursuant Section 1413 of the Safe Drinking Water Act Amendments and 40 CFR Part 142, Subpart B. The package covered the PWS definition, Administrative Penalty Authority, circumstances requiring emergency plans for the provision of Safe Water and Consumer Confidence Report Rule.

The purpose of this letter is to clarify two EPA concerns about this submittal, the action Plan for Disasters and the Administrative penalty on small systems.

Regarding the Action Plan for Disaster, I will like to inform you that the PWSS Program has an active action plan for this purpose. After reviewing the document it is my understanding that it is an adequate plan for the provision of safe drinking water and covers emergency circumstances that include, but not limited to, earthquakes, floods, hurricanes and other natural disasters.

This Plan has been used in the past emergencies as drought periods and hurricanes Hortense and Georges, with positive results. Since 1991, no waterborne outbreaks have been registered in the island.

In relation to the administrative penalties that ensures adequate compliance for small systems, the PWSS Program throught an amendment of the Administrative Order 2000-275-00 covered the small systems (<10,000 people) placed at intervals the penalties according to the population served. A copy of this amendment is included.

OPM/PEB
01 JUN - 4 PM 4:32
US EPA

U.S. EPA REGION II
2001 JUN - 5 PM 4:16
WATER PROGRAMS BRANCH

PO BOX 70184 SAN JUAN, PUERTO RICO 00936-8184

Mr. William Muszynski

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Thank you, for your evaluation and consideration. I hope that the information provided will be useful and clarifies your concerns regarding this matter.

If you have any questions, please feel free to contact me or your staff may contact Mrs. Olga I. Rivera, PWSS Program Director, at (787) 648-1903/3903

Cordially,


Alfredo Casta Vélez
Assistance Secretary
for Environmental Health

Enclosure:

Cf: Olga I. Rivera- PWSS Program
Carl A. Soderberg- CEPD
Bruce Kiselica – EPA Region 2
Mike Lowy- EPA Region 2



COMMONWEALTH OF PUERTO RICO
DEPARTMENT OF HEALTH
OFFICE OF THE SECRETARY

April 10, 2001

Administrative Hearings Division
Department of Health

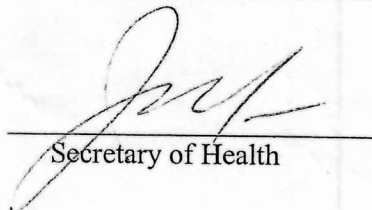
RE: AMENDMENT TO ADMINISTRATIVE ORDER 2000-275-00 OF AUGUST 18, 2000,
"TO ADOPT AUTHORITY FOR ADMINISTRATIVE PENALTIES ACCORDING TO THE
SAFE DRINKING WATER ACT".

The following paragraph is hereby added to Administrative Order 2000-275-00 at the end of the
first paragraph of Page 3, in accordance with Section 1413(a)(6)(B) of the Safe Drinking Water
Act of 1996, 42 U.S.C.A. 300 (j):

In the case of any other system, including any system serving a population less
than 10,000, from now on the penalties to be imposed by the DOH Hearing Division
Officials shall be determined using the following guidelines:

1. If the water system serves a population up to 500, the penalty imposed shall be no
less than \$ 100.00 per day, per violation and no greater than \$5,00.00 per day per
violation.
2. If the water system serves a population more than 501 and less than 3,300, the
penalty imposed shall be no less than \$250.00 per day, per violation and no greater
than \$ 5,000.00 per day violation.
3. If the water system serves a population more than 3,301 and less than to 10,000, the
penalty imposed shall be no less than \$500.00 per day and no greater than \$ 5,000.00
per day violation.

This amendment to Administrative Order 2000-275-00 shall be effective immediately.


Secretary of Health

Date: April ____, 2001

cc: Bruce Kiselica, EPA Region II
Carl Soderberg, CEPD
Olga Rivera ,DOH

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